



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DURAND BANNER

Defendant.

CASE NO. CR 02-01004-R

ORDER [OF DETENTION] [SETTING
CONDITIONS OF RELEASE] AFTER
HEARING (18 U.S.C. § 3148(b):
(Allegations of Violation of Pretrial
Conditions of Release)

A.

On motion of the Government involving an alleged violation of conditions of pretrial release, and warrant for arrest,

B.

The Court finds there is:

(1)

(A) ☒ Probable cause to believe that the defendant has committed a Federal, State, or local crime while on release and /or

(B) ☐ Clear and convincing evidence that the defendant has violated any other condition of release; and

1 (2)

2 (A) (✓) Based on the factors set forth in 18 U.S.C. § 3142(g), there is
3 no condition or combination of conditions of release that will
4 assure that the defendant will not flee or pose a danger to the
5 safety or any other person or the community; or

6 (B) (✓) The defendant is unlikely to abide by any condition or
7 combination of conditions of release.

8 (3) () There is probable cause to believe that, while on release, the
9 defendant committed a Federal, State, or local felony, and the
10 presumption that no condition or combination of conditions
11 will assure that the person will not pose a danger to the safety
12 of any other person or the community has not been rebutted.

13 OR

14 (4) () The court finds that there are conditions of release that will
15 assure that the defendant will not flee or pose a danger to the
16 safety of any other or the community, and that the defendant
17 will abide by such conditions. See, separate Order setting
18 conditions.

19 () It is further ordered that this order is stayed for 72 hours in
20 order to allow the Government to seek review from the
21 assigned district judge or criminal duty district judge as
22 appropriate.

23 OR

24 C.

25 (✓) IT IS ORDERED defendant be detained prior to trial.

26
27 DATED: March 18, 2009 Alicia G. Rosenberg
28 HONORABLE ALICIA G. ROSENBERG
United States Magistrate Judge